

PROB 12B
(7/93)

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 12 2005

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Flint Fire Herrmann

Case Number: 2:03CR00069-001 FVS

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, U.S. District Judge

Date of Original Sentence: 10/22/2003

Type of Supervision: Supervised Release

Original Offense: Felon in Possession of a Firearm,
18 U.S.C. § 922(g)(1)

Date Supervision Commenced: 12/02/2005

Original Sentence: Prison - 37 Months; TSR - 36
Months

Date Supervision Expires: 12/01/2008

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
- 18 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

CAUSE

Flint Herrmann violated conditions of his supervised release by consuming marijuana on or about December 2, 2005, contrary to condition number 7 of the conditions of supervised release.

On December 5, 2005, Flint Herrmann reported and to the United States Probation Office and provided a urine specimen for testing. The sample was tested on site and returned a presumptive positive reading for marijuana. Subsequently, the sample was forwarded to Scientific Testing Laboratories for further analysis. Mr. Herrmann signed an admission of drug use form acknowledging consumption on or about December 2, 2005. The offender also signed the attached Probation Form 49, Waiver of Hearing, agreeing to modify conditions as outlined. It should be noted that the Court previously imposed the above-referenced conditions. However, an exact number of tests was not established.

Prob 12B

Re: Herrmann, Flint Fire

December 8, 2005

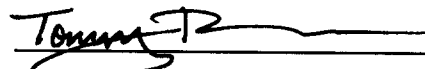
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U.S. Probation Officer Action: As an intermediate sanction, Flint Herrmann was directed to abstain from the use of controlled substances for the remainder of supervision. Additionally, the frequency of urinalysis testing will occur no less than once weekly. The offender was also directed to participate in substance abuse counseling to include group and individual meetings. The undersigned officer discussed this matter with the mental health counselor and confirmed the offender should begin counseling at once.

It is hoped that the intermediate sanction imposed meets with the expectations of the Court. Please advise this officer should Your Honor require a different course of action or a court appearance by the defendant.

Respectfully submitted,

by



Tommy Rosser

U.S. Probation Officer

Date: December 8, 2005

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

December 9, 2005

Date